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United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 80-1607

NATURAL RESOURCES DEFENSE COUNCIL, INC., PETITIONER

v.

U.S. ENVIRONMENTAL PROTECTION AGENCY and
ANNE M. GORSUCH, ADMINISTRATOR,
U.S. ENVIRONMENTAL PROTECTION AGENCY, RESPONDENTS

CHEMICAL MANUFACTURERS ASSOCIATION,
AMERICAN IRON & STEEL INSTITUTE,
EDISON ELECTRIC INSTITUTE, ET AL., INTERVENORS

And Consolidated Cases Nos. 80-1660, 80-1723, 80-1733, 80-1740, 80-1741, 80-1809, 80-1821, 80-1837, 80-1875, 80-1881, 80-1889, 80-1909, 80-1914, 80-1915, 80-1923, 80-1924, 80-1927, 80-1928, 80-1929, 80-1931, 80-1932, 80-1934, 80-1955, 80-1966, 80-1970, 80-1975, 80-1978, 80-1984, 80-1987, 80-1989, 80-1999, 80-2002, 80-2004, 80-2007, 80-2114, 80-2279, 80-2521, 81-1569, 81-1570, 81-1571, 81-1572, 81-1573, 81-1574, 81-1575, 81-1576, 81-1577, 81-1578, 81-1579, 81-1708, 81-1709, 81-1746, 81-1747, 81-1748, 81-1749, and 81-1750

On Motion to Dismiss

Bills of costs must be filed within 14 days after entry of judgment. The court looks with disfavor upon motions to file bills of costs out of time.

Argued December 15, 1981

Decided March 2, 1982

Gene W. Lafitte, with whom *J. Berry St. John, Jr.*, *George J. Domas*, and *Robert E. Holden* were on the brief, for petitioners American Iron and Steel Institute, et al.

Alan W. Eckert, Acting Senior Litigator, Office of General Counsel, Environmental Protection Agency, with whom *Anthony Liotta*, Acting Assistant Attorney General, *Donald W. Stever*, Chief, Environmental Defense Section, and *Elizabeth Stein* and *David T. Buente, Jr.*, Attorneys, Environmental Defense Section, were on the brief, for respondent.

Ronald J. Wilson was on the brief for petitioner Natural Resources Defense Council, Inc.

Before BAZELON, *Senior Circuit Judge*, and MIKVA and GINSBURG, *Circuit Judges*.

Opinion for the Court filed by *Circuit Judge* GINSBURG.

GINSBURG, *Circuit Judge*: These consolidated cases involve numerous challenges to Consolidated Permit Regulations (CPR's)[1] issued by the Environmental Protection Agency (EPA). Industry petitioners[2] contend that initial jurisdiction to review the National Pollutant Dis-

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[1] 40 C.F.R. pts. 122-125 (1981).

[2] Numerous industrial parties are represented by common counsel at this stage of the proceedings, and we refer to them as "industry petitioners" or simply "industry." The Natural Resources Defense Council (NRDC) is also a petitioner, but it opposes the motion to dismiss filed by industry petitioners. Certain other petitioners, such as the State of West Virginia, have taken no position on the motion to dismiss.

charge Elimination System (NPDES) portion of the CPR's does not reside in this court (or any other court of appeals).[3] They have moved to dismiss all petitions for review[4] insofar as the petitions challenge NPDES-related CPR's. The parties have fully briefed and argued the motion to dismiss. We hold that section 509(b)(1)(E) of the Clean Water Act (CWA), 33 U.S.C. § 1369(b)(1)(E) (1976), vests initial authority to review the challenged regulations in the courts of appeals. We therefore deny the motion to dismiss.

I.

Section 301(a) of the Clean Water Act, 33 U.S.C. § 1311(a) (1976), forbids anyone to discharge any pollutant into navigable waters except pursuant to an NPDES permit issued under CWA § 402, 33 U.S.C. § 1342 (1976 & Supp. III 1979). These permits list, for a specific discharger, the types and amounts of pollutants that may be discharged. Section 402 requires determina-

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[3] Our jurisdiction to review the non-NPDES aspects of the CPR's is conceded and, indeed, is exclusive. *See* NRDC v. EPA, No. 80-1607, slip op. at 9 (D.C. Cir. Nov. 4, 1980) (per curiam).

[4] Industry petitioners seek dismissal of their own petitions for review as well as those filed by NRDC and others. Because of uncertainty as to the appropriate forum for initial review of the NPDES-related CPR's, both NRDC and some of the industry petitioners have sought to challenge these CPR's by filing complaints in district courts. *See* NRDC v. EPA, No. 80-1607, slip op. at 12 n.10 (D.C. Cir. Nov. 4, 1980) (per curiam) (collecting cases). If we were to grant the motion to dismiss, these district courts would have to decide if they had general federal question jurisdiction to entertain the pending complaints. *See* 28 U.S.C.A. § 1331 (West Cum. Supp. 1981); *see also* E.I. du Pont de Nemours & Co. v. Train, 430 U.S. 112, 124-25 (1977) (regulations not initially reviewable in a court of appeals under § 509(b)(1)(E) may be reviewed "only in the District Court, if anywhere"). One district court has already asserted that it has jurisdiction to review NPDES regulations. American Petroleum Inst. v. Costle, No. 79-0858, slip op. at 2 (W.D. La. July 27, 1981).

tion of the amounts listed in any given permit in compliance with, inter alia, the requirements of sections 301 and 306, 33 U.S.C. §§ 1311, 1316 (1976 & Supp. III 1979). Those two sections, in turn, require the Administrator of EPA to establish by regulation effluent limitations, based on pollution-control technology, for sources of pollutants.[5]

EPA promulgated a set of NPDES regulations in 1979. These regulations do not set any numerical limitations on pollutant discharge. Instead, they are a complex set of procedures for issuing or denying NPDES permits. Several parties, uncertain as to the appropriate federal forum, sought review in both courts of appeals and district courts. EPA repromulgated these regulations, with slight substantive modifications, in 1980 as part of the CPR's.[6] Once again, challenges were filed in both federal courts of appeals and federal district courts. These challenges involve both NPDES and non-NPDES aspects of the CPR's. Through a complex procedural history, all court of appeals actions have been consolidated here.[7]

Industry contends that no statute vests initial jurisdiction in courts of appeals, so a challenge to NPDES-related CPR's may be instituted only under the general federal question jurisdiction of the district courts. Thus the industry petitioners have filed their motion to dismiss. EPA

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[5] The Administrator may also authorize any state to run an NPDES program in lieu of the federal program. Standards for the Administrator's approval of a state-run program are essentially identical to the standards that govern the federal program. CWA § 402(b), 33 U.S.C. § 1342(b) (1976 & Supp. III 1979).

[6] For a fuller discussion of the CPR's, which govern five separate EPA permit programs, *see* NRDC v. EPA, No. 80-1607, slip op. at 8-11 (D.C. Cir. Nov. 4, 1980) (per curiam).

[7] For a partial summary of this history, *see* NRDC v. EPA, No. 80-1607 (D.C. Cir. Nov. 4, 1980) (per curiam).

opposes this motion, citing CWA § 509(b)(1), 33 U.S.C. § 1369(b)(1) (1976), which provides:

> Review of the Administrator's action . . . (E) in approving or promulgating any effluent limitation or other limitation under section 1311, 1312, or 131[6] of this title . . . may be had by any interested person in the Circuit Court of Appeals of the United States . . . .

EPA contends that this statutory section covers the NPDES-related CPR's.[8]

II.

Section 509(b)(1)(E) authorizes the courts of appeals to review the promulgation of "any effluent limitation or other limitation under [CWA § 301, 302, or 306,] section 1311, 1312, or 131[6] of this title." "Effluent limitation" is defined in CWA § 502(11), 33 U.S.C. § 1362(11) (1976), as "any restriction established by a State or the Administrator on quantities, rates, and concentrations of . . . constituents which are discharged . . . , including schedules of compliance." At first glance, one might read subsection E to confine this court's review to EPA's establishment of numerical limitations on pollutant discharges.[9] Two aspects of the statutory language itself, however, indicate that the provision has a wider range: (1) subsection E authorizes review of an "other limitation," not just an effluent limitation; and (2) section 502(11) defines "effluent limitation" as "*any* restriction"

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[8] EPA also asserts that we have initial review authority under 33 U.S.C. § 1369(b)(1)(D) (1976) and under the doctrine of ancillary jurisdiction. Because we find § 509(b)(1)(E) a sufficient basis for our authority to review the NPDES-related CPR's, we express no opinion on EPA's other arguments.

[9] *Cf.* Montgomery Envtl. Coalition v. Costle, 646 F.2d 568, 574 (D.C. Cir. 1980) ("[E]ffluent limitations are technical specifications of the quantities of various polluting substances that a permittee may lawfully discharge.").

on the amounts of pollutants discharged, not just a numerical restriction.

The phrase "effluent limitation or other limitation" in section 509(b)(1)(E)[10] has in fact been interpreted to include more than numerical limitations. In *NRDC v. EPA*, No. 79-1639 (D.C. Cir. May 7, 1981), we addressed a challenge to regulations governing applications for variances from the limitations imposed on municipal sewage plants. Those regulations set no numerical limitations; instead they establish "criteria and standards to be applied by EPA in acting on . . . requests for modifications to the secondary treatment requirements." 40 C.F.R. § 125.56 (1981). We rejected a challenge to our jurisdiction because "[a]s a practical matter [the regulations] restrict the discharge of sewage by limiting the availability of a variance to a class of applicants which does not include all coastal municipalities." Slip op. at 12.

In *VEPCO v. Costle*, 566 F.2d 446 (4th Cir. 1977), the challenge was to standards regulating the construction and design of cooling water intake structures. The court agreed that these standards were not effluent limita-

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[10] This phrase also appears in § 505, 33 U.S.C. § 1365 (1976), which describes what sort of violations may result in citizen suits against a polluter. Industry argues from the legislative history of § 505 that the CPR's are not an "effluent limitation or other limitation." This may be so for purposes of § 505, but that does not prevent the CPR's from being an "effluent limitation or other limitation" for the very different purposes served by § 509(b)(1). "It is not unusual for the same word to be used with different meanings in the same act . . . ." Atlantic Cleaners & Dyers v. United States, 286 U.S. 427, 433 (1932); *see also* Cook, "Substance" and "Procedure" in the Conflict of Laws, 42 Yale L.J. 333, 337 (1933) ("The tendency to assume that a word which appears in two or more legal rules, and so in connection with more than one purpose, has and should have precisely the same scope in all of them, runs all through legal discussions. It has all the tenacity of original sin and must constantly be guarded against.").

tions because they were "concerned with structures . . . , not with discharges." *Id.* at 449. Nonetheless, the court held the standards reviewable as an "other limitation": "[T]he . . . regulations here do refer to information that must be considered in determining the type of intake structures that individual point sources may employ, and, by that token, they are limitations." *Id.* at 450.

One court, however, has adopted the position industry urges here. In *American Iron & Steel Institute (AISI) v. EPA*, 543 F.2d 521 (3d Cir. 1976), the court held that it had no jurisdiction to review EPA's "net/gross" regulation, which states when a permittee may receive a "credit" for pollutants in its intake water, and a revised version of which is contained in section 122.63(g) and (h) of the CPR's. The court held that the net/gross regulation was not an effluent limitation because it merely "prescribe[d] the policy and procedures to be followed in connection with applications for permits." 543 F.2d at 526.

We believe the approach taken in *NRDC* and *VEPCO* is sounder than that taken in *AISI*. First, of course, *NRDC* is binding precedent in this circuit, and in *NRDC* we specifically rejected the reasoning of *AISI*. *NRDC*, slip op. at 13. Second, the *AISI* court, unlike the Fourth Circuit in *VEPCO*, did not consider the possibility that something that was not an "effluent limitation" could nonetheless be an "effluent limitation or other limitation." [11] Third, the *AISI* court seemed more concerned with the timing of judicial review than with identification of the

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[11] Because § 509(b)(1)(E) provides for our review of both effluent limitations and other limitations, we see no need to determine that the CPR's are one or the other. It suffices that they fit within the statutory disjunctive phrase. *Compare* NRDC v. EPA, No. 79-1639, slip op. at 14 (D.C. Cir. May 7, 1981) ("effluent limitations"), *with* VEPCO v. Costle, 566 F.2d 446, 449-50 (4th Cir. 1977) ("other limitation").

forum for review;[12] thus the court may have blended considerations of ripeness for review[13] into a determination of its statutory authority to entertain a review petition properly timed. The statute makes no explicit statement about ripeness for review; it simply sets out the actions to be reviewed in courts of appeals rather than district courts.[14] In short, the issue as it is presented

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[12] *See, e.g.*, 543 F.2d at 528 (declining to consider net/gross regulation "at this stage" and "in the absence of a full and comprehensive record"); *id.* at 529 ("The issue of district court jurisdiction is not before us, and we therefore express no view as to that contention.").

[13] *AISI* was cited in support of our decision in Diamond Shamrock Corp. v. Costle, 580 F.2d 670, 674 (D.C. Cir. 1978), that a net/gross regulation was not ripe for review. The parties have not yet briefed the issue of the ripeness of the CPR's, and we do not today hold that any of them are ripe for review. We hold only that this court has authority under § 509(b)(1)(E) to review any CPR's that are ripe.

[14] *See, e.g.*, Crown Simpson Pulp Co. v. Costle, 445 U.S. 193, 196-97 (1980) (per curiam); E.I. du Pont de Nemours & Co. v. Train, 430 U.S. 112, 127 n.18 (1977); VEPCO v. Costle, 566 F.2d 446, 447 (4th Cir. 1977). The jurisdiction of the district courts in CWA cases may not be entirely settled. *See supra* note 4. It is clear, however, that Congress intended that some actions under the CWA *not* be subject to direct review in a court of appeals. Compare CWA § 509(b)(1) (six specified categories of actions under CWA) *with, e.g.*, Clean Air Act § 307(b)(1), 42 U.S.C. § 7607(b)(1) (Supp. III 1979) (eight specific categories and "any other nationally applicable regulations promulgated, or final action taken"). Industry petitioners argue that if the CPR's are reviewable directly in a court of appeals, virtually any action under the CWA will be so reviewable, thus contravening the congressional intent. EPA contends, however—and industry does not dispute—that certain actions under the CWA are outside of § 509(b)(1). *See* EPA Brief at 27. These include, among others, rules governing hazardous substances, vessel wastes, and construction grants. We do not decide that we would lack jurisdiction in all the cases EPA lists, but we are satisfied that our decision as to the CPR's does not turn § 509(b)(1) into a comprehensive review provision that Congress did not intend it to be.

here, whether jurisdiction lies initially in courts of appeals or in district courts, was not at the center of the *AISI* court's attention. Fourth, *AISI* was decided before *E.I. du Pont de Nemours & Co. v. Train*, 430 U.S. 112 (1977), and *Crown Simpson Pulp Co. v. Costle*, 445 U.S. 193, 196-97 (1980) (per curiam), two Supreme Court cases that influence our decision, *see infra* p. 11, and might have influenced the *AISI* court to decide the other way, *see NRDC v. EPA*, No. 79-1639, slip op. at 13-14 (D.C. Cir. May 7, 1981).

NRDC and *VEPCO* securely support the conclusion that we have authority to review the CPR's. Some of the CPR's, *see, e.g.*, 40 C.F.R. §§ 122.54, .60, .62-.66 (1981), like the variance regulations in *NRDC*, restrict who may take advantage of certain provisions or otherwise guide the setting of numerical limitations in permits. Like the regulations in *VEPCO*, the CPR's are "a limitation on point sources and permit issuers" and "a restriction on the untrammeled discretion of the industry" that existed before passage of the CWA. *VEPCO*, 566 F.2d at 450.

Industry petitioners seek to distinguish *NRDC* and *VEPCO*. The regulations in *NRDC*, they argue, "directly modif[ied]" effluent limitations, whereas "[t]he NPDES program regulations are much broader in scope . . . and do not modify any of the EPA's complex technological judgments related to . . . particular effluent limitations developed under section 301." Industry Brief at 31. And in both *NRDC* and *VEPCO*, they assert, the regulations were based on precise, technical information and applied only to particular types of point sources. The CPR's, everyone agrees, are far more general and rest dominantly on policy choices.

We do not agree with industry petitioners that these distinctions support initial review of the CPR's in district court rather than here. If anything, the case for first-instance judicial review in a court of appeals is

stronger for broad, policy-oriented rules than for specific, technology-based rules.[15] A fair reading of the *NRDC*

[15] National uniformity, an important goal in dealing with broad regulations, is best served by initial review in a court of appeals. *See* VEPCO v. Costle, 566 F.2d 446, 451 (4th Cir. 1977). All petitions may be consolidated in one court, as these actions have been, under 28 U.S.C. § 2112(a) (1976). *See generally* NRDC v. EPA, No. 80-1607 (D.C. Cir. Nov. 4, 1980) (per curiam). There is no analogous transfer provision for district courts. If we were to grant the motion to dismiss, there would be a real possibility, *see supra* note 4, that several different district courts would proceed to review the NPDES-related CPR's, with the attendant risk of inconsistent decisions initially and on appeal. *But cf.* Celanese Corp. v. Federal Energy Admin., 410 F.Supp. 571, 576 (D.D.C. 1976) (transferring case under 28 U.S.C. § 1404(a) (1976) by analogy to § 2112(a)).

Furthermore, the great advantage the district courts have over the courts of appeals—their ability to use extensive factfinding mechanisms—is not relevant here. There is not even an arguable need to engage in technical factfinding when judicial review is concentrated on an agency record and policy determinations. The argument that the district courts are more competent than courts of appeals to review the CPR's proves too much; as counsel conceded at oral argument, the policies alleged to support district court review are no stronger with respect to the CPR's than they are with respect to other actions immediately reviewable in the courts of appeals under environmental statutes, including the CWA itself.

Finally, industry petitioners assert a basis in the statutory language for their argument that only technical regulations are reviewable directly in courts of appeals. Section 509(b)(1)(E) designates for review only the promulgation of a limitation *under § 301, 302, or 306* of the CWA. The NPDES-related CPR's were not developed by parsing the technical criteria of these sections, but we do not believe this prevents them from having been developed "under" these sections within the meaning of the jurisdictional statute. Congress would have had no reason, as we noted above, to prefer that technical rules be reviewed here and policy-based rules in district court. EPA cited § 301 as a statutory basis for the CPR's, and the CPR's set out procedures for obtaining permits that comply with § 301. It is thus fair to say that the CPR's were promulgated under § 301.

and *VEPCO* opinions, moreover, shows that neither decision was in any way based on the technical character of the rules or the record. Indeed, our review on the merits in *NRDC* was largely an application of legal standards to EPA's policy judgments, not its technical determinations. *See NRDC v. EPA*, No. 79-1639, slip op. at 14-35 (D.C. Cir. May 7, 1981).

Our decision, like those of the *NRDC* and *VEPCO* courts, follows the lead of the Supreme Court in according section 509(b)(1) a practical rather than a cramped construction. *See generally Crown Simpson Pulp Co. v. Costle*, 445 U.S. 193 (1980) (per curiam). If we were to grant the motion to dismiss, one or more district courts might proceed to review the CPR's, yet review of a permit issued under the CPR's would take place directly in a court of appeals under section 509(b)(1)(F), 33 U.S.C. § 1369(b)(1)(F) (1976). This "would produce the truly perverse situation in which the court of appeals would review numerous individual actions issuing or denying permits . . . but would have no power of direct review of the basic regulations governing those individual actions." *E.I. du Pont de Nemours & Co. v. Train*, 430 U.S. 112, 136 (1977). *Crown Simpson* and *du Pont* do not unequivocally dictate our result,[16] but their reasoning strongly supports a holding that we have jurisdiction.

III.

Industry petitioners argue that "due process" concerns nonetheless require a narrow interpretation of section 509(b)(1) review authority. Section 509(b)(1) contains a ninety-day "statute of limitations" for challenging any action of the Administrator that falls within its terms. Complementing this provision, section 509(b)(2), 33 U.S.C. § 1369(b)(2) (1976), provides that "[a]ction of the Administrator with respect to which review could

[16] *Crown Simpson* was an interpretation of § 509(b)(1)(F); *du Pont* involved numerical limitations.

have been obtained under [section 509(b)(1)] shall not be subject to judicial review in any civil and criminal proceeding for enforcement." Under these two provisions, one who wishes to challenge an action of the Administrator must, if the action is held to be within the categories of section 509(b)(1), do so within ninety days or lose forever the right to do so, even though that action might eventually result in the imposition of severe civil or criminal penalties.

Industry argues that this preclusive, "now or never" review aspect of the CWA mandates a narrow construction of section 509(b)(1): The more broadly the section is construed, the more likely it is that someone will have regulations enforced against him yet be precluded from challenging the validity of those regulations because of a failure to seek immediate review under section 509(b)(1). This argument finds substantial support in decisions of the Supreme Court and this court. In *Adamo Wrecking Co. v. United States*, 434 U.S. 275 (1978), the Court noted that the presence of an identical preclusive review provision in the Clean Air Act was a factor in determining that a particular regulation was not an "emission standard" that was therefore unchallengeable in an enforcement proceeding. And in *Chrysler Corp. v. EPA*, 600 F.2d 904 (D.C. Cir. 1979), this court construed a jurisdictional provision of the Noise Control Act to exclude certain actions of the Administrator, in part because of an identical preclusive review statute. Citing *Adamo*, the court declared that "[t]he nagging presence of a substantial due process question indicates, then, at the very least, the propriety of a narrow interpretation of" the jurisdictional statute. *Id.* at 913.[17]

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[17] In *Adamo*, the Court did not suggest that constitutional concerns underlay its decision to construe "emission standard" narrowly. Justice Powell, however, "join[ed] the Court's opinion with the understanding that it implies no view as to the constitutional validity of the preclusion provision of

This review-preclusion consideration lacks in the present case the force it had in *Adamo* and *Chrysler*. There is a critical difference between the statutory and regulatory schemes involved in those cases and the one here. The CPR's are not self-executing. As noted above, the CWA operates by prohibiting all pollutant discharges except those *allowed by a permit*. Each individual subject to the CPR's will of necessity have participated in a permit proceeding before being punished for violating the conditions specified in his permit. A polluter charged with violating those conditions will certainly be on notice of the duty he is alleged to have breached. As EPA puts it, "The possibility of an EPA 'sneak attack,' resulting in criminal sanctions with no notice to the victim other than the filing of a complaint, appears to have been controlling in *Adamo*. That factor is absent here." EPA Reply Brief at 16-17. *See generally Adamo*, 434 U.S. at 283 & n.2.

Industry counsel pointed out at oral argument, however, that another class of persons might be subject to sanctions as a result of the CPR's: those who were not previously required to obtain a permit but, because of some changed definitions in the CPR's, are now considered polluters subject to the CWA. For example, a member of this class might pollute an impounded stream without a permit believing that he was not polluting "waters of the United States." He might be unaware that one of

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§ 307 (b) [of the Clean Air Act, 42 U.S.C. § 7607(b) (Supp. III 1979)] in the context of a criminal prosecution." 434 U.S. at 291 (concurring opinion). This court, in *Chrysler*, based its narrow statutory interpretation both on "policy considerations," 600 F.2d at 912, arising from the preclusive provision, and on doubts as to "the constitutional validity of the preclusive review provision," *id.* at 913. In Harrison v. PPG Indus., 446 U.S. 578 (1980), Justice Powell noted the *Chrysler* decision and declared that "constitutional difficulties may well counsel a narrow construction of § 307 (b) (1)," the Clean Air Act jurisdictional section analogous to CWA § 509(b) (1). 446 U.S. at 594 (concurring opinion).

the CPR's, 40 C.F.R. § 122.3 (1981), for the first time defines "waters of the United States" to include such streams. Thus he could be prosecuted although at the time of his conduct he did not know he was violating the law.

We do not believe our interpretation of the jurisdictional provisions of the CWA should turn on the situation of a class such as this. There are certainly few persons in this position, and perhaps there are none. Furthermore, it is hardly clear that such polluters would be without recourse. If they were genuinely caught by surprise when prosecuted for pollution without a permit, they might raise the question whether the preclusive review provision, section 509(b)(2), was unconstitutional as applied to their special situation.[18] In a Clean Air Act case, the Supreme Court was urged to put a narrow construction on section 307(b)(1), 42 U.S.C. § 7607(b)(1) (Supp. III 1979), which governed court of appeals jurisdiction. It was urged that a broad construction would be unconstitutional because subsequent review of anything within section 307(b)(1) was barred by section 307(b)(2), 42 U.S.C. § 7607(b)(2) (Supp. III 1979). The Court rejected this argument: "The short answer . . . is that the validity of § 307 (b)(2) is not at issue here. The constitutional question raised by the respondents must, therefore, await another day." *Harrison v. PPG Industries*, 446 U.S. 578, 592-93 n.9 (1980). Identical reasoning applies in this case.[19]

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[18] Similarly, one who was unaware of the CPR's before seeking a permit, and who wished to attack them at the permit stage, might argue the unconstitutionality of § 509(b)(2) as applied.

[19] We also note that the Supreme Court has twice interpreted § 509(b)(1), and on neither occasion has the Court suggested that due process concerns required a narrow construction. *See* Crown Simpson Pulp Co. v. Costle, 445 U.S. 193 (1980) (per curiam); E.I. du Pont de Nemours & Co. v. Train, 430 U.S. 112 (1977).

IV.

We hold that the CPR's are an "effluent limitation or other limitation" under section 509(b)(1)(E). We reject industry petitioners' claim that "due process" requires a narrower construction; the statutory and regulatory framework of this case undercuts industry's arguments, and a constitutional attack on section 509(b)(2) must await a later day. We have authority to review any CPR's that are ripe for review. The motion to dismiss is denied.

So ordered.

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT
September Term 1981

No. 80-1607

NATURAL RESOURCES DEFENSE COUNCIL, INC.,
Petitioner,

v.

U.S. ENVIRONMENTAL PROTECTION AGENCY, and M. GORSUCH,
Administrator, U.S. Environmental Protection Agency,
Respondents.

CHEMICAL MANUFACTURERS ASSOCIATION, *et al.*,
Intervenors.

And Consolidated Case Nos. 80-1660, *et al.*

ARGUED 12-15-82

BEFORE: Bazelon, Senior Circuit Judge; Mikva And Ginsburg, Circuit Judges

ORDER

This matter is before the Court for consideration of the motion to dismiss filed by Industry Petitioners. On consideration thereof, it is

ORDERED by the Court that the motion to dismiss is denied for the reasons set forth in the opinion of the Court issued this date.

Per Curiam

United States Court of Appeals
for the District of Columbia Circuit

FILED March 2, 1982

GEORGE A. FISHER
CLERK

FOR THE COURT:

George A. Fisher,
Clerk

/s/ ROBERT A. BONNER
Robert A. Bonner
Chief Deputy Clerk

List Of Corporate Petitioners' Parents, Subsidiaries, And Affiliates Pursuant To Supreme Court Rule 28.1

This list is submitted pursuant to Rule 28.1 of the Supreme Court Rules.

Corporate Petitioners in *Chemical Manufacturers Association, et al.* v. *EPA*, D.C. Cir. Nos. 81-1570 and 81-1578

AMERICAN CYANAMID COMPANY

Subsidiaries and Affiliates

Arizona Chemical Company
B. Braun-Dexon G.m.b.H.
Brewster Phosphates
Cyanamid Iberica, S.A.
Cyanamid Italia S.p.A.
Cyanamid-Ketjen Katalysator B.V.
CY/RO Industries
Cyanamid (Portugal) Limitada
Cyanamid Taiwan Corporation
Cyanamire S.p.A.
Cyanenka S.A.
Laminate Industries (Pty) Limited
Societe Ananyme Formica
Formica Espanolo S.A.
Lederle (Japan) Ltd.
Mitsui-Cyanamid, Ltd.
Sherkat Sahami Cyanamid-KBC
Societe des Sutures Chirurgicales Robert & Carriere-Lederle
TDF Tiofine B.V.
The Catalyst Company

BORDEN INC.

Subsidiaries and Affiliates

Modelos Uki
Bayamon Can Corp., Inc.
Borden Chemical Co. France S.A.

P. Barnier S.A.
Feslente Boniface SA
Borden U.K. Ltd
Borden Espana, S.A.
Borden Int. Pkg. Ltd.
Crecspan S.A.
Demer S.A.
Este, S.A.
Gallina Blanca, S.A.
Naturin, S.A.
Promocion deMarcados
Rifacli, S.A.
Klemme GmbH & Co. KG
Borden Int'l. Philippines, Inc.
Feslente Boniface SA
Broex, S.A.
Productors Donita, Inc.
Clover Brand Dairies
Coco Lopez Mfg. Corp.
Alba Nordeste SA Industries Quimicas
Alimentos, S.A.
Borden Chem (M) SNDBHD
Compania Casco S.A.I.C.
Cia Chiricana deLeche
Cia Colombiana de Alimentos Lactos SA
Cia Industrial de Alimentos SA
LasAmigas del Pueblo
Materiales Moldeables S.A. de C.V.
Nassau Dairy Prod. Ltd.
Grand Bahama Dairy Products, Ltd.
Prolesa S.A. de C.V.
Derivados Industriales Veracruzanos SA
Lechas Pasteurizados de Libras S.A.
Productos deLeche SA
Proteinas Lacteas y Alimentos S.A.
Italcolor S.A.
Compania Casco S.A.I.C.
Compania Quimica Borden

Clemco, Inc.
Galloway-West Company, Inc.
Hitachi Borden Chem. Prod.
Illinois Nitrogen Corporation
Industrias LaFamosa, Inc.
Indulfor S.A.
Produits Lambiotte Freres S.A.
Borden Chem (France)
Societe d'Application de Flockage
TRL
John Robt. Powers Attractions, Inc.
Kansas Crop Service, Inc.
Kerry Cheese Tek Ltd.
Korea Borden Chusik Holsa
Latin America Agri-business Development Corp.
Indulfor S.A.
Mieji Borden, Inc.
Monochem, Inc.
Nassau Dairy Products
Ecuatoriana S.A.
Quimica Borden SA de CV
Shahdnab Company
Sun-Vue Fertilizers, Inc.
Trinidad Processing Company, Ltd.
The Viking Engraving Corporation

E.I. DU PONT DE NEMOURS & CO.

Subsidiaries and Affiliates[1]

Airport Limited Partnership
Allied Eneabba Ltd.
Concord Limited Partnership
Desarrollo Quimico Industrial, S.A.

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[1] In 1981, E.I. du Pont de Nemours & Company acquired Conoco Inc. The subsidiaries and affiliates of Conoco are listed at Appx A-30-32.

Ducilo S.A.
Du Pont Canada Inc.
Augusta Natural Gas Ltd.
Cedarcrest Company Limited
Du Pont Chemicals & Textiles (B.C.) Limited
Du Pont Chemicals & Textiles (Eastern) Limited
Du Pont de Quebec Limitee
Du Pont of Canada Exploration Limited
Ducanex Resources Limited
Twin Peak Resources
Petrosar Limited
Groupement D'Interet Economique Du Pont de Nemours (France) S.A. et Rhone-Poulenc Industries
Mitsui Fluorochemicals Company, Ltd.
Mitsui Polychemicals Company, Ltd.
Bontec Company, Ltd.
EDOBI
Hiroshima Sekisui
Hi-Sheet Industries, Ltd.
Kyokuto Kobunshi Company, Ltd.
Kyushu Taiyo Kasei Company, Ltd.
KZM Company, Ltd.
Muromachi Company, Ltd.
Taiyo Kasei Company, Ltd.
PD Magnetics B.V.
Showa Neoprene K.K.
Societe En Nom Collectif Du Pont de Nemours (France) S.A. et Rhone-Poulenc Industries
Syngas Company
Toyo Products Company, Ltd.
Adela Investment Company, S.A.
Conoco-Du Pont Exploration
Conoco-Du Pont Exploration II
Derivados Macroquimicos, S.A.
Derivados Sinteticos, S.A. de C.V.
Gemeinnutzige Wohnungsbau GmbH
Geomina, S.A.
Halocarburos, S.A. de C.V.

La Dominicia, S.A. de C.V.
Nylon de Mexico, S.A.
Inser, S.A.
Univex, S.A.
Pigmentos y Productos Quimicos, S.A. de C.V.
Inversiones y Terrenos del Golfo, S.A.
Quimica Fluor, S.A. de C.V.
Salgema Industrias Quimicas S.A.
Tetraetilo de Mexico, S.A.

FMC CORPORATION

Subsidiaries and Affiliates

Avicon, Inc.
British Cardboard Box Mashine Co., Ltd.
Chlor-Chem, Ltd.
FMC Europe, S.A.
FMC de Mexico, S.A.
FMC Saudi Arabia Limited
Foret, S.A.
Foret Arif Libanaise, S.A.R.L.
Peroxidos Organicos, S.A.
Sibelco Espanola, S.A.

KAISER ALUMINUM & CHEMICAL CORPORATION

Subsidiaries and Affiliates

Alpart Farms (Jamaica), Ltd.
Alumina Partners of Jamaica
Aluminium Bahrain
Aluminium Products Company Limited
Boyne Smelters Limited
Comalco Limited
Gerro Kaiser Dosenwerk GmbH
Grundstucksverwaltungsgesellschaft objekt Wallersheim
Hindustan Aluminium Company Limited

Hopewell International Company Limited
Jamaica Alumina Security Company, Ltd.
Kaiser Alluminio Italia S.R.L.
Kaiser Aluminium Huttenwerk GmbH
Kaiser Aluminium Kabelwerk GmbH
Kaiser Jamaica Bauxite Company
Kaiser TelePrompter of Hawaii, Inc.
Queensland Alumina Holdings N.V.
Queensland Alumina Limited
Queensland Alumina Security Corporation
Thai Metal Products Limited
Volta Aluminium Company Limited

MONSANTO COMPANY

Subsidiaries and Affiliates

Monsanto Company owns 66.5 percent of the voting power of Fisher Controls International, Inc. All other subsidiaries, considered in the aggregate as a single subsidiary, would not constitute a significant subsidiary.[1]

NORTHERN PETROCHEMICAL COMPANY

Parent

Internorth Company

PPG INDUSTRIES, INC.

Subsidiaries and Affiliates

Duplate Canada Inc.
102957 Canada Limited

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[1] As reported in Monsanto Company's FORM 10-K to the Securities & Exchange Commission for the fiscal year ended December 31, 1981.

Duplate Investments Limited
Fiberglas Canada Inc.
Smith & Stone Inc.
Italver-Pittsburgh Paints S.p.A.
S.A. Peintures Corona/France
Corona Pittsburgh Paints S.A.
Norcolor S.A.
Corona Farben Vertreib GmbH
Pinturas Pittsburgh de Mexico S.A.
Societe Allyner S.A.
Vernante Pennitalia S.p.A
Pennitalia Securglass S.p.A.
Boussois S.A.
Compania Iberica de Productors Industriales, SA
Arkansas Chemiccals, Inc.
Asahi-Penn Chemical Company, Ltd.
Asahi PPG, Ltd.
Pittsburgh Corning Corporation
Nippon Pittsburgh Corning, K.K.
Pittsburgh Corning International Corp.
Deutsche Pittsburgh Corning GmbH
Pittsburgh Corning France S.A.R.L.
Pittsburgh Corning Nederland B.V.
Pittsburgh Corning (United Kingdom) Limited
Pittsburgh Corning Gesellschaft G.m.b.H.
Pittsburgh Corning (Schweiz) AG
Puerto Rico Olefins, Inc.
Pinturas Pittsburgh Iberica, S.A.
Pittsburgh Corning Europe N.V.
Inveca-Pittsburgh C.A.
Vidrio C.A.
Silenka B.V.
Tatung Coatings Co.
Antimony Products (Proprietary) Limited
Woodward Iodine
Puerto Rico Olefins II
Glass Plaza Associates
P.D. Glycol

ROHM AND HAAS COMPANY

Subsidiaries and Affiliates

Indofil Chemicals, Limited
Rohm and Haas Mexico S.A. de C.V.
Curachem
Modipon Limited
Japan Acrylic Chemical Co., Ltd.
The Shipley Company
Tokyo Organic Chemical Industries Limited
Quimica Trepic, S.A.
Yugocryl

STAUFFER CHEMICAL COMPANY

Subsidiaries and Affiliates

Cornwall Chemicals, Limited
Derivados Macroquimicos, S.A.
Electroquimica Potosi, S.A.
Fluorex, S.A.
Halocarburos, S.A.
Industrias Quimicas de Mexico, S.A.
Industrias Quimicas Serpiol, S.A.
Kali-Chemie Stauffer G.m.b.H.
Kashima Industries Company
Limanol, S.A.
Montrose Chemical Corporation of California
Mount Pleasant Chemical Company
Pacific Chemical Industries Pty., Ltd.
Promotora, I.Q.S.A.
Quimica Lucava, S.A.
SWS Silicones Corporation
Stauffer Australia Limited
Stauffer Chemical Company (New Zealand), Limited
Stauffer Chemical Company of Wyoming
Stauffer Rioplatense S.A.I.C.
Texas Alkyls Belgium, S.A.

Texas Alkyls, Inc.
Toyo-Stauffer Chemical Co., Ltd.

THE B.F. GOODRICH COMPANY

Subsidiaries and Affiliates

B.F. Goodrich Chemical de Venezuela C.A.
B.F. Goodrich Australia Ltd.
E.P.P.C. Polyplastic S.A.
Industria Colombiana de Llantas, S.A.
Japan Power Brake, Inc.
Policyd, S.A.
Compania Hulera Euzkadi, S.A.
Lima Caucho Co., S.A.
Philippine Vinyl Consortium, Inc.
Mobex Corp.
Fosroc/Tremco
Verfygungsmitten Handelsgesellachaft MBH
LIM-Holding S.A.

THE GOODYEAR TIRE & RUBBER COMPANY

Subsidiaries and Affiliates

Goodyear Canada Inc.
Goodyear India Limited
Goodyear Jamaica Limited
Goodyear Lastikleri Turk Anonim Sirketi
Goodyear Malaysia Berhad
Goodyear Maroc, S.A.
Goodyear Taiwan Limited
Goodyear (Thailand) Limited
P.T. Goodyear Indonesia
The Goodyear Tire & Rubber Company of the Philippines, Ltd.
GranIndustria de Neumaticos Centroamericana, S.A.
Toyobo Petcord Co. Limited
Goodyear Bendel Rubber Processing Co.

UNION CARBIDE CORPORATION

Subsidiaries and Affiliates

ACM Services
P.T. Agrocarb Indonesia
Argon, S.A.
Arizona Welding Equipment Co.
Bayox Inc.
Biosystemes S.A.
Calida Gas B.V.
Carbide Hashim Industrial Gas Co. Ltd.
Chemos Industries Pty. Ltd.
Chrome Corporation (South Africa) (Pty) Ltd.
Cia National de Calcareos e Derivados
Dai Nippon Jushi Co. Ltd.
Delvan Pty. Ltd.
Electrona Carbide Industries Pty. Ltd.
Elektrode Maatskapy Van Suid Africa (Eiendoms) Beperk
Eletro Manganes Ltda.
Eletrometalurgica Suadade Ltda.
General Welding Products, Inc.
Indugas N.V.
Joint Industries (Hycel) 1970 Ltd
Karaj Road Property Co. Ltd.
P.T. Karmi Arafura Fisheries
La Littorale S.A.
Miami Welding Supply, Inc.
Nippon Unicar Co.
Oriental Union Chemical Corp.
Oxigenio Edy S.A.
Oxigeno Del Norte, S.A.
Oy Unifos A.B.
Rodval S.A.
Societe Gabonaise Des Ferro-Alliages
Societe Miniere de Tambao S.A.
Sony-Eveready Inc.
Svenska Vicora Aktiebolaget
Tennigasco Gas Gathering Co.

Tubatse Ferrochrome (Pty.) Ltd.
Tungsmina Desenvolvimento de Industrias Minerais Ltda.
Tungstenio do Brasil Minerios e Metais Ltda.
Ucar Plastics Ghana Ltd.
Unifos Kemi A.B.
Union Carbide Argentina S.A.I.C.S.
Union Carbide Australia & New Zealand Ltd.
Union Carbide Austrailia Ltd.
Union Carbide Canada Ltd.
Union Carbide Ceylon Ltd.
Union Carbide Egypt S.A.E.
Union Carbide France, S.A.
Union Carbide Ghana Ltd.
Union Carbide Kenya Ltd.
Union Carbide Malaysia Sdn. Bhd.
Union Carbide Mexican, S.A.
Union Carbide New Zealand Ltd.
Union Carbide Nigeria Ltd.
Union Carbide Pakistan Ltd.
Union Carbide Sudan Ltd.
Union Carbide Yemen Ltd.
Union Gas Co. Ltd.
Union Industrial Gas Corp.
Union Polymers Sdn. Bhd.
Union Showa K.K.
Viscora (Deutschland) G.m.b.H.
Viscora Italiana
Viscora, S.A.
Viskase Ltd.
Visking do Brasil S.A.
Sociedad Anomima White Martins
S.A. White Martins Nordeste
Wimpey Unox Ltd.

Corporate Petitioners in *American Iron & Steel Institute, et al.* v. *EPA*, D.C. Cir. Nos. 81-1576 and 81-1746[1]

ARMCO INC.

Subsidiaries and Affiliates

Oregon Metallurgical Corporation

JONES & LAUGHLIN STEEL CORPORATION, a division of JONES & LAUGHLIN STEEL INCORPORATED

Parent

The LTV Corporation

Corporate Petitioners in *American Petroluem Institute, et al.* v. *EPA*, D.C. Cir. Nos. 81-1577 and 81-1709[1]

ATLANTIC RICHFIELD COMPANY

Subsidiaries and Affiliates

Hardy Oil Company
Sinclair Venezuelan Oil Company
Anaconda Iron Ore (Ontario) Limited
Bingham Development Company
Caribou-Chaleur Bay Mines Ltd.
Caribou-Smith Mines Ltd.
Chile Copper Company

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[1] The above list includes only publicly-held domestic subsidiaries and affiliates. Some of the nine corporate petitioners in American Iron & Steel Institute v. EPA may have non-publicly-held or foreign affiliates and subsidiaries. A list of these companies is available upon request.

[1] The listing includes petitioners' parent companies and publicly-traded subsidiaries and affiliates.

Defender Mining and Milling Corporation
Dragon Consolidated Mining Company
Green Cananea Copper Company
Mayflower Mining Company
Middle Swansea Mining Company
New Bingham Mary Mining Company
North Lily Mining Company
Park Cummings Mining Company
Park Premier Mining Company
Patten Mining Company
Smoke House Copper Mining Company
West Mayflower Mining Company
Badger Pipe Line Company
Blair Athol Coal Pty. Ltd.
Compania de Petroleo Ganso Azul, Ltda.
Compania Mexicana de Petroleo "El Charro", S.A.
Flower Street Ltd.
Gravity Adjustment Inc.
Hydrokem Performance Chemicals Company
Iricon Agency Ltd.
Kenai Pipe Line Company
R.W. Miller (Holdings) Limited
Montoro, Empresa Para La Industria Quimica, S.A.
The Observer Magazine Limited
Platte Pipe Line Company
Sao Raimundo Agroindustrial Ltda.
Sinclair Venezuela Oil Company
Tecumseh Pipe Line Company
Texas, New Mexico Pipe Line Company
Alyeska Pipeline Service Company
Colonial Pipeline Company
Cook Inlet Pipeline Company
Delaware Bay Transportation Company
Dixie Pipeline Company
East Texas Salt Water Disposal Company
Lavan Petroleum Company
Oil Shippers Service, Inc.
Trans Mountain Oil Pipe Line Company

CHEVRON U.S.A., INC.

Parent

Standard Oil Company of California

Subsidiaries and Affiliates

AMAX Inc.
Cetus Corporation
Huntington Beach Company
Kentucky Agricultural Energy Corporation
Long Beach Oil Development Company
Rimbeg Pipe Line Co., Ltd.
Wind Farms Ltd.

CONOCO INC.

Parent

E.I. du Pont de Nemours & Company

Subsidiaries and Affiliates

A/S Soties Plass 2
Associated Petroleum Terminals Ltd.
Benzene Marketing Co. Ltd.
Big Sky of Montana Realty, Inc.
Bishop Coal Company
Calcasieu Chemical Corporation
Carbon Black Espanola, S.A.
Cardinal River Coals, Ltd.
Cit-Con Oil Corporation
Cliffe Storage Ltd.
Colonial Pipeline
Compagnie Francaise du Carbon Black, S.A.
Conch International Methane, Ltd.
Conch L.N.G.
Condea Chemie, GmbH
Conoco Exploration, Ltd.
Conrhein Coal Co.
Continental Columbia Carbon Nederland, B.V.

Contochu, Inc.
Crude Oil Terminals (Humber) Ltd.
Dixie Pipeline
Explorer Pipeline Company
Felix Oil Company
Harmar Coal Company
Humber Oil Terminals Trustee Ltd.
Iranian Investment Corp.
Iranian Oil Participants Ltd.
Iranian Oil Services (Holdings) Ltd.
Iricon Agency, Ltd.
Itmann Coal Company
K/s Statfjord Transport A.S. & Co.
Kettleman North Dome Association
Lake Charles Pipe Line
Long Beach Oil Development Company
Lucky Continental Carbon Co., Ltd.
Maritime Protection (PTE) Ltd.
Maritime Protection A/S
Maritime Protection Inc.
Mathies Coal Company
Neptune Bulk Terminals (Canada) Limited
Nippon Aluminum Alkyls, Ltd.
Nissan Conoco Corporation (CONSAN)
Oasis Oil Co. of Libya, Inc.
Oil Shippers Service, Inc.
OMW (Oberrheinische Mineraloelwerke GmbH)
Pasa Petroquimica Argentina, S.A.
Petrocokes, Ltd.
Petroleum Storage Ltd.
Petroleum Terminals, Inc.
Petroquimica Espanola, S.A. (PETRESA)
Pioneer Pipe Line Company
Platte Pipe Line
Seadock, Inc.
Seaway Pipeline, Inc.
Selang Ltd.
Southern Facilities, Inc.

Statfjord Transport A.S.
Stavangereske Westamarine A/S
Sulitjelma Elektronikk A/S
T.A.L.
T.A.L. (Austria)
T.A.L. (Italy)
T.A.L. (Luxembourg)
Texas Offshore Port, Inc.
The Standard Shale Products Company
Tidelands Royalty Trust
Tongue River Holdings, Inc.
Tongue River Railroad
Toyo Continental Carbon, Ltd.
Union National Bank Building
Warwickshire Oil Storage Ltd.
West Shore Pipe Line
Westmarin A/S
Yellowstone Pipe Line

EXXON CORPORATION
(identified in the court below as Exxon Company, U.S.A., a division of Exxon Corporation

Subsidiaries and Affiliates

Imperial Oil Limited
Reliance Electric Company
Exxon Pipeline Company

GETTY OIL CORPORATION

Subsidiaries and Affiliates

Chemplix Company
Chemplix Construction Corp.
Chase Terminal Company
Chase Transportation Company
Entertainment and Sports Programming Network, Inc.

Northern Tier Pipeline Company
Osage Pipe Line Company
Texoma Pipe Line Company
Vancouver Plywood Co., Inc.
Crescent Petroleum Company
Mitsubishi Oil Company, Limited
Iricon Agency Ltd.
Texas-New Mexico Pipeline Company
Tide Water Oil Company (India) Limited
Yong-Nam Chemical Company, Ltd.
Dieter Pohlmann & Co.
Butte Pipeline Company
Canadian Reserve Oil and Gas Ltd.
Gibson Holdings, Ltd.
Gibson Petroleum Ltd.
Halbouty Alaska Oil Company
Wascana Pipe Line Inc.
Wascana Pipe Line Ltd.
Chisholm Pipeline Company

GULF OIL CORPORATION

Subsidiaries and Affiliates

Gulf Canada Limited
China Gulf Plastics Corporation
Asia Polymer Corporation
Chinhac Chemical Company, Ltd.
Plastgama S.A.
Taiwan VCM Industries Corporation
Bioresearch Center Company, Ltd.
Laurel Pipe Line Company
Platte Pipe Line Company
Venezuela Gulf Refining Company
West Texas Gulf Pipe Line Company
A/S Jargul
A/S Jargul and Co. K/S
AB Djurgardsberg

Adela Investment Company, S.A.
Albert Rose Chemicals, Ltd.
Allied-General Nuclear Services (partnership)
Andogas S.A.
Autobahn-Raststaette Wurenlos Ag.
China Gulf Oil Company Limited
Colonial Pipeline Company
Compagnie D'Investissement Bustinbles De Reacteurs A Haute Tp.
"Condor" Industria Quimica, S.A.
Delaware Bay Transportation Company
Det Gronlandske Olieakieselskab
Dixie Pipeline Company
Eastern Venezuelan Gas Transport Company
Ethyleen Pijpleiding Maatschappij (Belgium) S.A.
Ethyleen Pijpleiding Maatschappij (Nederland) B.V.
Explorer Pipeline Company
General Atomic Company (partnership)
Gulf Canada Resources Inc.
Gulf Oil Zaire S.A.R.L.
Harshaw-Murata Kabushika Kaisha
Harshaw Galvanotecnia S.A.
Harshaw-Juarez S.A. de C.V.
Harshaw Quimica Ltda.
Iranian Oil Participants Limited
Iranian Oil Services (Holdings) Limited
Kuwait Oil Company Listed
London Oil Refining Company Limited
Mainline Pipelines Limited
Midwest Carbide Corporation
Oklahoma Nitrogen Company (partnership)
Pembroke Cracking Company
Petrosil Oil Company Limited
Pol Transport AB
Polyquimicos, S.A.
Raffinerie de Cressier S.A.
Resinas Andinas S.A.
Rio Blanco Oil Shale (partnership)

SARNO S.p.A.
Societe de Combustible Pour Reacteurs A Haute Temperature (Corhat)
Solvent Refined Coal International, Inc.
Sunrise International Company Limited
Svensk Petroleum Administration A.B.
Svensk Petroleum Largring Tre A.B.
Svensk Petroleum Forvalting A.B.
Taita Chemical Company, Ltd.
Taiwan Plasticizer Corporation
Britama Tankers Limited

MARATHON OIL COMPANY

Parent
United States Steel Corporation

Subsidiaries and Affiliates

Petroleum Terminals, Incorporated
The Airport Company of Hilton Head Island, Inc.
Arctic LNG Transportation Co.
Automotive Fuel Corporation
Automotive Fuel Corporation of Delaware, Inc.
Badger Pipe Line Company
Cheker-Imperial Oil Co. of Alabama
Cheker-Imperial Oil Co. of Arkansas
Cheker-Imperial Oil Co. of Georgia
Cheker-Imperial Oil Co. of Iowa
Cheker-Imperial Oil Co. of Kansas
Cheker-Imperial Oil Co. of Mississippi
Cheker-Imperial Oil Co. of Missouri
Cheker-Imperial Oil Co. of Nebraska
Cheker-Imperial Oil Co. of Tennessee
Cheker Oil Company
Cheker Oil Company of Delaware, Inc.
Cheker Oil Company of Florida, Inc.
Cheker Oil Company of Indiana, Inc.
Cheker Oil company of Michigan, Inc.

Cheker Oil Company of Ohio, Inc.
Cheker Oil Company of Wisconsin, Inc.
City Point Oil Terminal, Inc.
Cook Inlet Pipe Line Co.
Dor Rae Realty, Ltd.
Ecol, Inc. (Mississippi)
Explorer Pipeline Company
Globe Oil Company, U.S.A.
Gravcap, Inc.
Green Bay Terminal Corp.
Hilton Head Island Realty, Inc.
Hilton Head Management Co., Inc.
Kenai LNG Corp.
Key Pipe Line Co. Ltd.
Kroll Glass Service, Inc.
Locap, Inc.
Loop Inc.
Marco South, Inc.
Oil Insurance Limited
Oil Shippers Service, Inc.
Oklahoma Oil Co.
Pilot Oil Corporation
Platte Pipe Line Co.
Polar LNG Shipping Corporation
Port Oil Inc.
Qualbank, Inc.
Redwater Water Disposal Company Limited
Russell Stewart Oil Co.
Sandcastle Land Company, Inc.
Tideland Realty of Hilton Head, Inc.
U-Save, Inc.
Webster Service Stations, Inc.
West Shore Pipe Line Co.
Wolverine Pipe Line Co.
CLAM Pet. Company
Compania Iberica Refinadora de Petroleos, S.A.
Deutsche Transalpine Olleitung GmbH
Oasis Oil Company of Libya, Inc.

Societa Italiana per l'Oleodotto Transalpino, S.p.A.
Transalpine Finance Holdings S.A.
Transalpine Olleitung in Osterreich GmbH
Cope Petrolera S.A.
Domex Packaging Ltd.
P.V. Commodity Systems Ltd.
Magnorth Pet. Ltd.
Panwest Pty. Limited
Sage Creek Coal Limited
Valley Beach, Inc.

MOBIL OIL CORPORATION[1]

Subsidiaries and Affiliates

AB Djurgardsberg
Abu Dhabi Petroleum Company Limited
Adria-Wien Pipeline Gesellschaft m.b.H.
AIMCO (ALPHA) Shipping Company
AIMCO (OMEGA) Shipping Company Ltd.
Aircraft Fuel Supply B.V.
Airtankdienst Koln
AK Chemie GmbH
AK Chemie GmbH & Co KG
Akauma Rekisei Kogyo Kabushiki Kaisha
Alexandroupolis Petroleum Installation S.A.
Allied Asphalts Limited
Alpa Alet Ve Dayanikli Tuketim Mamulleri Pazarlama A.S.
Altona Petrochemical Company Limited

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[1] Mobil Oil Corporation is a wholly owned subsidiary of Mobil Corporation which is publicly held. Listed above are the affiliates and subsidiaries of Mobil Corporation, Mobil Oil Corporation, and their affiliates and subsidiaries which are or may be publicly held. For purposes of this list only companies in which a five percent (5%) or greater interest is held are considered.

Alyeska Pipeline Service Company
Ankara Gaz Satis Anonim Sirketi
Arabian American Oil Company
Arabian International Maritime Company Limited
Arabian International Maritime Company
The Arabian Petroleum Supply Company (S.A.)
Arabian Shipping & Trading Company S.A.
Aral Aktiengesellschaft
A/S Fjellvegen
A/S Kongens Plass I
A/S Moretral
Ammenn GmbH
The Associated Octel Company Limited
Associated Octel Company (Plant) Limited
ATAS-Anadolu Tasfiyehanesi Anonim Sirketi
Atlas Sahara S.A.
Australasian Petroleum Company Proprietary Limited
Australian Synthetic Rubber Company Limited
Autobahn-Betriebe Gesellschaft m.b.H.
Aviation Fuel Services Limited
Aygaz Anomim Sirketi
B.V. Beheersmaatschappij MOBEM
Basrah Petroleum Company Limited
Bataan Refining Corporation
Bayerische Erdgasleitung GmbH
Bin Sulaiman Mobil Towers
Bayerische Mineral Industrie A.G.
Benoil S.A.
Bostadsrattsforeningen Basunen, Malmo
Bostadsrattsforeningen Forarsatet, Orby
Bostadsrattsforeningen Silverskatten, Trellebor
Bostadsrattsforeningen Skepparegarden, Norrkoping
Brazos Heights Housing Incorporated
Brussels Airfuels Service S.C.
Buffalo River Improvement Corporation
Canner's Steam Company, Incorporated
Cansulex Limited
Canyon Reef Carriers, Inc.

Cartoenvases Valencia, S.A.
Carton de Colombia, S.A.
Carton de Venezuela, S.A.
Cartones Nationales, S.A.
Celmisia Shipping Corporation
Celulosa y Papel de Columbia, S.A.
Central African Petroleum Refineries (Pvt) Limited
Central Kagaku Kabushiki Kaisha
Cercera S.A.
Changi Airport Fuel Hydrant Installation Pte. Ltd.
Chuo Nenryo Gas Kabushiki Kaisha
Colombianos Distribuidores de Combustibles, S.A. (CODI)
Colonial Pipeline Company
Combustibles Colmerauer
Comet-Brennstoffdienst GmbH
Comex-Seal France S.A.
Comex-Seal Guernsey Ltd.
Comex-Seal Limited
Comex-Seal U.K. Limited
Comex-Seal U.S. Corporation
Commodore Maritime Company, S.A.
Compagnie Africaine de Transport Cameroun
Compagnie D'Entreposage Communautaire
Compagnie Immobiliere (Comimmo)
Compagnie Regionale de Distribution de Produits Petroilers-C.O.R.E. Dis.
Compagnie Rhenane de Raffinage
Compagnie Senegalaise des Lubrifiants (C.S.L.)
Compania Colombiana de Empaques Bates, SSA
Compania de Lubricants de Chile Limitada (Copec-Mobil Ltda.)
Compania Mexicana de Especialidades Industriales, S.A. de C.V.
Consortium Raymond Duez
Constructora Calle 70 S.A.
Cook Inlet Pipe Line Compa
CORCOP

Corrugadora de Carton, S.A.
C.R.C. Lyon Chauffage
CRCP
Cyprus Petroleum Refinery Limited
D. Muhlenbruch GmbH
D. Muhlenbruch GmbH & Co. KG
Dai Nippon Jushi K.K.
De. Ba. Deposito di Bari S.p.A.
Depot Petrolier de Mourepiane
Depot Petrolier du Gresivaudan
Depot de Petrole Cotiers
Depots Petroliers de La Corse (DPLC)
Deutsche Mobil Oil Exploration Ireland Ltd.
Deutsche Pentosin-Werke GmbH
Deutsche Transalpine Oelleitung GmbH
Dicomi S.r.l.
Disie Pipeline Company
Drivmedelscentralen AB
Dukhan Services Company
East Japan Oil Development Company Ltd.
Eastern Lease Company Ltd.
Emoleum (Asphalts) Limited
Entrepot Petrolier de Chambery
Entrepot Petrolier de Dijon
Entrepot Petrolier de Mulhouse (E.P.M.)
Entrepot Petrolier de Nancy
Entreprise Jean Lefebvre
Erdgas-Verkaufs-Gesellschaft mbH
Erdoel-Lagergesellschaft mbH
Erdoel-Raffinerie Neustadt GmbH & Co. oHG
Erdoelbetrieb Reitbrook
Erdoelraffinerie Gesellschaft mbH in Liquidation
Establissments Bouthenet
Establissments Nicol and Cie
Faavang Autoverksted A/S
FACEL
Fairwind Maritime Company, S.A.
Felix Oil Company

Filtroleo-Sociedade Portuguesa de Filtros Lda.
Filtros De Costa Rica S.A.
Finsbury Printing Limited
Fountain Garage (East Park) Ltd.
Fountain Garage (Meadowhead) Ltd.
Fountain Garage (Mercury) Ltd.
Fountain Garage (Newbury Park) Ltd.
Fountain Garage (Stirchley) Ltd.
Frome-Broken Hill Company Proprietary Limited
Fruehmesser mineraloelhandels GmbH & Co. KG
Fruehmesser GmbH
Fuso Operations Kabushiki Kaisha
Futuro Enterprises (Christchurch) Ltd.
Futuro Homes (N.Z.) Ltd.
Gaz Aletleri Anonim Sirketi
Geomines-Caen
Geovexin
Ghana Bunkering Services Limited
Goteborgs Branslesortering AB
Groupement Immobilier Petrolier G.I.P.
Groupement Petrolier Aviation G.P.A.
Groupement Petrolier De Brest (GPB)
Handelmaatschappij Jugenholtz & Co. B.V.
Heizoel-Handelsgessellschaft mbH
Hellas Gas Storage Company S.A.
Highgate Associates, Ltd.
Home Counties Petroleum Products Limited
Hormoz Petroleum Company
Hydranten-Betriebs-Gesellschaft, Flughafen Frankfurt
Imperial Gas Co. of P.R., Inc.
Industria de Carbon del Valle Cauca, S.A.
Iranian Oil Participants Limited
Iranian Oil Services (Holdings) Limited
Iranian Oil Services Limited
Iraq Petroleum Company, Limited
Iraq Petroleum Pensions Limited
Iraq Petroleum Transport Company Limited
Island Exploration Company Proprietary Limited

Istanbul Petrol ve Makine Yasglari Limited Sirketi
Japan Airport Fueling Service Co. Limited
Japan Solar Energy Co., Ltd.
J.E.C.O.P.
K.K. Sankyo Plastics
K.K. Toresen
Kanto Kyguns Sekiyu Hambai K.K.
Kanto Oil Pipeline Co., Ltd.
Kawasaki Kygnus Sekiyu Hambai Kabushiki Kaisha
Keihin Kygnus Sekiyu Hambai Kabushiki Kaisha
Keiyo Sea-Berth Company, Limited
Kettleman North Dome Association
Klaus Koehn GmbH
Klaus Koehn GmbH & Co. Mineraloel KG
Kobe Port Service Kabushiki Kaisha
Kurt Ammenn GmbH & Co. K.G.
Kygnus Ekika Gas Kabushiki Kaisha
Kygnus Kosan Kabushiki Kaisha
Kygnus Sekiyu Kabushiki Kaisha
Kyokyto Petroleum Services Overseas, Ltd.
Kyokuto Sekiyu Services Overseas, Ltd.
Kyokuto Sekiyu Kogyo Kabushiki Kaisha
Les Nouveaux Comptoirs Petroliers
Les Supermarches De Cote D'Ivoire
Kikit Petrol Gazi ve Yakit Ticaret A.S.
Lubricants del Sur, S.A.
Marceaux & Cie
Matco Tankers (U.K.) Limited
Maury Manufacturing Company, Inc.
Mediterrenean Refining Company
Meentzen & Franke GmbH & Co.
Mobil Ami, S.A.
Mobil Atlas Sociedad Anonima de Capital Variable
Mobil Chemie Belgie N.V. and Mobil Chimie Belge S.A.
Mobil Comercio, Industria e Servicos Ltda.
Mobil Gaz-Mobil Petrol Gazlari Anonim Sirketi
Mobil Korea Lube Oil Industries Inc.
Mobil Motor Rest AG

Mobil Oil Angola, SARL
Mobil Oil Cameroun
Mobil Oil Cote d'Ivoire
Mobil Oil Dahomey
Mobil Oil Djibouti, S.A.
Mobil Oil Francaise
Mobil Oil Gabon
Mobil Oil Ghana Limited
Mobil Oil Haute Volta
Mobil Oil Holdings, S.A.
Mobil Oil Mali
Mobil Oil Maroc
Mobil Oil Mauritanie
Mobil Oil Niger
Mobil Oil Nigeria Limited
Mobil Oil Nord-Africaine
Mobil Oil Philippines Inc.
Mobil Oil Portuguesa, S.A.R.L.
Mobil Oil Rwanda-Burundi (S.A.R.L.)
Mobil Oil Senegal
Mobil Oil Tchad
Mobil Oil Togo
Mobilrex
Mobil Tunisie
Mobil Tyco Solar Energy Corporation
Molinos de Carton y Papel, S.A.
Morem
Mosul Petroleum Company Limited
Motel Rest SA
Mt. Marrow Blue Metal Quarries Pty.
Ndola Oil Storage Company Limited
Near East Development Corporation
New Zealand Refining Company Limited, The
New Zealand Synthetic Fuels Corp. Ltd.
Nichimo Sekiyu Seisei Kabushiki Kaisha
Nippon Unicar Company Limited
Norddeutsche Erdgas-Aufbereitungs GmbH
Nordic Storage Company Ltd.

Nottingham Gas Limited
N.V. Rotterdam-Rijn Pijpleiding Maatschappij
N.V. Socony-Standard-Vacuum Oil Company
Occidental de Empaques, Ltda.
Octel Associates
Octel S.A.
Oil Kol (Proprietary) Limited
Oil Service Company of Iran (Private Company)
Oldenburgische Erdoel Gesellschaft mit beschrankter Haftung
Olympic Pipe Line Company
Osage Pipe Line Company
P.T. Arun Natural Gas Liquefaction Company
P.T. Stanvac Indonesia
Pars Investment Corporation
Pembalta Gas System No. 1. Ltd.
Pembalta Gas System No. 3. Ltd.
Pembalta Gas System No. 4. Ltd.
Pembalta Gas System No. 5. Ltd.
Pembalta Gas System No. 6. Ltd.
Perretti Petroli S.p.A.
Petrocab
Petrogas Processing Ltd.
Petroleum Development (Cyprus) Limited
Petroleum Refineries (Australia) Proprietary Limited
Petroleum Services (Middle East) Limited
Petroleum Tankship Company Inc.
Petromin Lubricating Oil Company
Petromin Lubricating Oil Refining Company
Petromin-Mobil Yanbu Refinery Company Ltd.
Pipe-Lines de la Pallice
Plegadizos para la Industria S.A.
Poly Oil Chimie (P.O.C.)
Qatar Petroleum Company Limited
Qualbank, Inc.
Rainbow Pipe Line Company, Ltd.
Randhurst Corporation
Reforestadora Andina, S.A.

Reforestadora del Cauca, S.A.
Rhodes Petroleum Installation S.A.
Rivers Court Estates, Limited
Rohel-Aufsuchungs Gesellschaft mbH
Ruhrgas Aktiengesellschaft
S&M Pipeline Limited
S.A. Mas & Cie
S.A.M. Lebreton
Samarco (Alpha) Shipping Company
Samarco (Beta) Shipping Company
Sanwa Kasei Kogyo Kabushiki Kaisha
SARL Garage Pineau
Sarni S.p.A.
Saudi Arabian Maritime Company
Saudi Can Company, Ltd., The
Saudi Chemicasl Industries Company Limited
Saudi Maritime Company Ltd.
Saudi Tankers Limited
Saudi, Yanbu Petrochemical Company
Schubert Kommanditgesellschaft
S.C.I. Du Fonds Du Val
Seal Participants (Holdings) Limited
Segher de Mexico, S.A. de C.V.
Seibu Kygnus Sekiyu Hambai Kabushiki Kaisha
SENERCO
Seram Societa per Azioni (S.p.A.)
Sierra Leone Petroleum Refining Company Limited, The
R. Simonnet & CIE
Sociedade Portugal Marrocos SARL
Societa Italiana per l'Oleodotto Transalpino, S.p.A.
Societe Africaine de Raffinage
Societe Agicole Des Entreprises Petrolieres (S.A.D.E.P.)
Societe Anonyme Etablissments Nicol and Cie
Societe Belge de Transport par Pipeline S.A.
Societe Camerounaise des Depots Petroliers (S.C.D.P.)
Societe Camerounaise Equatoriale De Fabrication De Lubrifiants "S.C.E.F.L."
Societe Civile de Mustapha

Societe Civile Immobiliere Courcelles-Etoile
Societe Civile Immobiliere de Construction de 34 Avenue du General Leclerc a Boissy-St-Leger
Societe Civile Immobiliere de Construction "La Residence Brune"
Societe Civile Immobiliere du 10 Bd. de la Republique A La Garenne-Colombes
Societe Civile Immobiliere Kleber-Etoile
Societe Civile Immobiliere La Fontaine Saint Lucien
Societe Civile Immobiliere Mobil
Societe Dahomeenne d'Entreposage de Produits Petroliers
Societe d'Arement Fluvial et Maritime "SOFLUMAR"
Societe de Construction & de Gestion CB 12
Societe de Distribution Castelroussine (SODICA)
Societe de Gaz D'Oceanic (SOGADOC)
Societe de Manutention de Carburants Aviation (S.M.C.A.)
Societe de Manutention de Carburants Aviation Dakar-Yoff
Societe de Manutention de Carburants Aviation de Tahiti (SOMCAT)
Societe de Maperizlx d'Etancheite Pour Le Entreprises (Meple)
Societe d'Entreposage de Bobo-Dioulasso (S.E.B.)
Societe d'Entreposage de San Pedro (SESP)
Societe d'Entreposage Petrolier au Burundi
Societe de Renovation D'Emballages Metalliques (REM)
Societe d'Habitations a Loyer Modere de la Seine Maritime
Societe des Bitumes et Cut-Backs du Cameroun
Societe des Establissments Goux
Societe Des Huiles Lemahieu
Societe de Pipe-Line Sud-Europeen
Societe Francaise Stoner-Mudge
Societe Gabonaise d'Entreposage de Produits Petroliers
Societe Gabonaise de Raffinage
Societe Industrielle des Asphaltes et Petroles de Lattaquie (Syrie) S.A.

Societe Ivoirienne de Fabrication de Lubrifiants (S.I.F.A.L.)
Societe Ivoirienne de Raffinage
Societe Mauritanienne d'Entreposage de Produits Petroliers
Societe Nationale de Raffinage (Sonora)
Societe Nouvelle Raffinereie Meridionale De Ceresines (RMC)
Societe Novodis
Societe Pizo De Formulation De Lubrifiants (PIZOLUB)
Societe Regionale De Produits Petroliers
Societe Regionale de Produits Energetiques
Societe Tahitienne de Depots Petroliers
Societe Tchadienne D'Entreposage de Produits Petroliers
Societe Togolaise d'Entreposage (STE)
SOMODIP
Sonarep (South Africa) (Proprietary) Limited
SONEX
South African Oil Refinery (Proprietary) Limited
South Saskatchewan Pipe Line Company
South West Africa Road Binders (Proprietary) Limited
Statfjord Transport A.S.
SStation-Service Lunes
Sydney Metropolitan Pipeline Pty. Ltd.
Syria Petroleum Company Limited
T.R. Miller Mill Company, Inc.
Tanklagergesellschaft Koln-Bonn
Tecklenburg GmbH
Tecklenburg GmbH * Co.Energiebedarf K.G.
Texoma Pipe Line Company
Thailand Lubricant Products Limited
Thailand Solvent Products, Ltd.
Thums Long Beach Company
Toa Nenryo Kogyo Kabushiki Kaisha
Tohko Plastics Co., Ltd.
Tonen Energy International Corp.
Tonen Sekiyu Kagaku Kabushiki Kaisha
Tonen Tanker Kabushiki Kaisha

Tonen Technology Kabushiki Kaisha
Total Centrafricaine de Gestion (TOCAGES)
Toulouse-Distribution Produits Petroliers
Toyoshina Film Co., Ltd.
Tradewind Maritime Co., S.A.
Transalpine Finance Holdings S.A.
Transalpine Oelleitung in Oesterreich Gessellschaft m.b.H.
Trans-Arabian Pipe Line Company
Transgas Umschlags-Lager-Und Transport Gesellschaft MbH
Turkish Petroleum Company Limited
Twifo Oil Plantations Ltd.
UBAG Unterflur Betankungsanlage Flughafen Zurich
Union Grafica, S.A.
United Kingdom Oil Pipelines Limited
VOSACEC, S.P.A.
W.A.G. Pipeline Pty. Ltd.
Wako Kasei Kabushiki Kaisha
Wakohjushi Kabushiki Kaisha
Werner Weidemann Mineraloelvertrieb G.m.b.H.
West Shore Pipe Line Company
Wolverine Pipe Line Company
Wyco Pipe Line Company
Zaire Mobil Oil
Zaire Services Des Entreprises Petrolieres

PHILLIPS PETROLEUM COMPANY

Subsidiaries and Affiliates

Acurex Corporation
Aero Oil Company
Alyeska Enterprises, Inc.
Alyeska Pipeline Service Company
Arctic LNG Transportation Company
Bonny LNG Ltd. (P.P. Worldwide Gas Ltd.)
Bruin Carbon Dioxide Sales Corporation

Calatrava Empresa Para la Industria Petroquimica, S.A.
Canada Western Cordage Co., Ltd.
Canyon Reef Carriers Inc.
Cochin Refineries Ltd.
Colonial Pipeline Company
Compagnie Francaise du Carbon Black S.A.
Dixie Pipeline Company
Everglades Pipe Line Company
Explorer Pipeline Company
Gardner Cryogenics Europe N.V.
Insurance and Reinsurance Brokers (Bermuda) Ltd.
Iranian Marine International Oil Company
Kaw Pipe Line Company
Kanai LNG Corporation
LeeFac, Inc.
Negromex S.A.
Nordisk Philblack AB
Norland Gmbh
Norpipe A/S
Norpipe Petroleum U.K. Ltd.
Norsea Gas A/S
Norsea Gas GmbH
Norsea Pipeline Ltd.
Papago Chemicals, Inc.
Petrochim
Phillips Carbon Black Company (Pty.) Ltd.
Phillips Carbon Black Italiana S.p.A.
Phillips Carbon Black Limited
Phillips Gas Supply Corporation
Phillips Imperial Petroleum Limited
Phillips Pacific Chemical Company
Phillips Petroleum Singapore Chemicals (Private) Limited
Philmac Oils Limited
Plasticos Vanguardia S.A.
Polar LNG Shipping Corporation
Polyolefins
Powder River Corporation
Renolit Fertighaus GmbH

Seadock, Inc.
Seaway Pipeline, Inc.
Sevalco (Holdings) Limited
Societe De Developpement Des Polyolefins
Transatlantic Reinsurance
Trenwick Ltd.
Western Desert Operating Petroleum Company
White River Shale Oil Corporation

SHELL OIL COMPANY

Subsidiaries and Affiliates

Basin Pipe Line System
Bullenbay Marine Services, N.V.
Butte Pipe Line Company
Capline System
Capwood Pipe Line System
Crown-Shell Baytown Feeder Line System
Curacao Oil Terminal N.V.
Dixie Pipeline Company
East Texas Salt Water Disposal Company
Explorer Pipeline Company
Gravcap, Inc.
Inland Corporation
LOCAP, Inc.
LOOP, Inc.
Oil Companies Institute for Marine Pollution
Compensation Limited
Olympic Pipe Line Company
Ozark Pipe Line Company
Plantation Pipe Line Company
Rancho Pipe Line System
Royal Dutch Petroleum Company
Seadock, Inc.
Shell Petroleum, N.V.
The "Shell" Transport and Trading Company, Ltd.
Ship Shoal Pipe Line System

Thums Long Beach Company
West Shore Pipe Line Company
Wolverine Pipe Line Company

STANDARD OIL COMPANY (INDIANA)

Subsidiaries and Affiliates

Analog Devices
Chicago Bank of Commerce
Cetus Corporation
Dearborn Park Corporation
Illinois Neighborhood Development Corporation
National Corporation for Housing Partnerships
Semix
Solarex Company

TEXACO INC.

Subsidiaries and Affiliates

Alberta Products Pipe Line Ltd.
Arabian American Oil Company
Associated Octel Company Limited, The
Aviation Fuel Services Ltd.
Boral Limited
New Zealand Refining Company Limited, The
South Africa Oil Refinery (Proprietary) Ltd.
Batangas Land Company Inc.
Changi Airport Fuel Hydrant Installation Pte. Ltd.
Ndola Oil Storage Company Limited
Central African Petroleum Refineries (Private) Ltd.
East African Oil Refineries Limited
H. C. Sleigh Limited
Pakistan Refinery Limited
Societe Malgache de Raffinage
Societe Reunionnaise d'Entroposage (S.R.E.)
Cia. Refinadora Petrolera Santo Domingo Inc.
Deutsche Transalpine Ollejtung GmbH

Forenade Syenska Oljeimportorers AB
Frevlig A.G.
Gas Natural Colombiana S.A.
Ghana Bunkering Services Limited
Iranian Oil Participants Limited
Iranian Oil Services (Holdings) Limited
Irish Refining Company Limited
Maghreb Gaz S.A.
Mainline Pipelines Limited
Miland Ariport Refueling Services, S.p.A. (MARS)
Mitsui-Texaco Chemicals Co., Ltd.
Montreal Pipe Line Company Limited
N.V. Rotterdam Rijn Pijpleiding Maatschappij
Oberheinische Mineralolwerke G.m.b.H.
Pars Investment Corporation
Pipelines of Puerto Rico, Inc., The
Raffinerie du Sud-Quest S.A.
Refinery Services Company S.A.
Rheem del Eduador C.A.
Rhein-Mein Rohrleitungstransportgesellschaft m.b.H.
Saudi International Petroleum Carrier Ltd.
Sierra Leone Petroleum Refining Company Limited, The
Skandinaviska Raffinaderi Aktiebolaget Scanraff
Societa Italiana per l'Oleodotto Transalpino S.p.A.
Societa per Azioni Raffineria Padana Olii Minerali (SARPOM)
Societe Africaine de Raffinage S.A. (SAR)
Societe Anonyme de la Raffinereie des Antilles (SARA)
Societe D'Entreposage de Bobo-Dioulasso
Societe Camerounaise d'Entreposage (SCE)
Societe Dakaroise d'Entreposage S.A. (SDE)
Societe d'Entreposage de San Pedro S.A. (SESP)
Societe d'Entreposage Petrolier au Burundi S.A.R.L. (SEP-BURUNDI)
Societe De ManutentionDes Carburants Aviation Dakar Yoff (SMACADY)
Societe Gabonaise de Raffinage (SOGARA)

Societe Gabonaise d'Entreposage du Produits Petroliers S.A. (STEPP)
Societe Togalaise d'Entreposage S.A. (STE)
Svensk Petroleum Forvaltning Aktiebolag
Tankanglage AG Ruemlang (TAR)
Texaco Mexicana, S.A.
Transalpine Finance Holdings S.A.
Transalpine Olleitung in Osterreich GmbH
Trinidad Asphalt Holdings Limited
Trinidad Northern Areas Limited
Trinmar Limited
Trintovac Developments Limited
Refineria Texaco de Honduras, S.A.
Texaco Agro-Industrial (Nigeria) Limited
Quimica Industrial "FIDES" S.A.
Texaco Canada Inc.
Public Fuel Transmission Systems Limited
Great Eastern Oil & Import Co. Limited, The
Texaco Norway A/S
Deutsche Texaco Aktiengesellschaft
Texaco Portugal Prospeccaoe Producao, S.A.R.L.
Texaco North Sea Norway A/S
Texaco Gabon
Texaco Togo
Zaire-Texaco S.A.R.L.
Texaco Nigeria Limited
Texaco-Cities Service Pipe Line Company
Tadlaqaz S.A.
American Overseas Petroleum Limited
Bunkerservice Brunsbuttel G.m.b.H.
Societe Ivoirienne De Futs et D'Emballages (SOGUILUBE) (See Texaco Africa Ltd.)
Caltex Petroleum Corporation
Australian Lubricating Oil Refinery Limited
Phoenicia Oil Company S.A.L.
Botany Bay Tanker Company (Australia) Pty. Limited
Sydney Metropolitan Pipeline Pty. Limited
Koa Oil Company, Limited

Mediterranean Refining Company
Nippon Petroleum Refining Company, Ltd.
Tokyo Tanker Company, Limited
Caltex Deutschland G.m.b.H.
Caltex Mediterranean Limited
Condea Chemie G.m.b.H.
Federated Pipe Lines Ltd.
Flexibox G.m.b.H.
LPG de Panama, S.A.
Pembroke Capital Company Inc.
P.T. Caltex Pacific Indonesia
Petrogas, S.A.
Texaco Maroc
Societe Ivoirienne D'Avitaillements Portuaires (S.I.A.P.)
Societe Ivoirienne D'Entrepasage De Produits Petroliers (S.I.E.P.P.)
Badger Pipe Line Company
Bayonne Industries, Inc.
Canyon Reef Carriers, Inc.
Colonial Pipeline Company
Coltexo Corporation
Dixie Pipeline Company
Explorer Pipeline Company
Felix Oil Company
Kaw Pipe Line Company
Laurel Pipe Line Company
LOCAP Inc.
LOOP Inc.
Olympic Pipe Line Company
Portland Pipe Line Corporation
Texas-New Mexico Pipe Line Company
THUMS Long Beach Company
West Shore Pipe Line Company
Wolverine Pipe Line Company
Wyco Pipe Line Company
Aircraft Fuel Supply B.V.
Airport Refueling Services S.p.A.
Aktiebolaget Svensk Petroleumlagring

United Kingdom Oil Pipelines Limited
Unterflur Betankungsanlage A.G. (UBAG)
West Australian Natural Gas Pty. Limited
Zaire Services des Entreprises Petrolieres (Zaire S.E.P.)
Aktiebolaget Djurgardsberg
Association Petroliere Belge
Aviation Fueling Services, S.A.
Aviation Service Center
Compagnie Entreposage Communautaire
Singapore Refining Company Private Limited
Societe Belge de Transport Par Pipeline S.A.
Societe de Cabotage Petrolier S.A.
Societe du Pipeline Sud-European S.A.
Societe Nationale de Raffinage
Svensk Petroleumadministration AB
Total Centrafricaine de Gestion
Societe Agricole des Enterprises Petrolieres
Union des Raffineurs Belges
Svensk Petroleumlargring Tre Aktienbolag
Societe Cameranaise des Depots Petroleirs (SCDP)
TNPL
AK Chemie GmbH & Co. KG
Bergemann KG
Braunkohle-Benzin AG
Knoops & Muller Mineralolhandel GmbH
Karlsruhe-Stuttgart Rohrleitung GmbH
Bremer Mineralolhandel GmbH
Dannenberg & Co. Mineralolhandel GmbH
Mdina Weave Ltd.
W. Knierim & Co. Mineralolhaldel GmbH
Boske & Co. Mineralolhandel GmbH
HoeTex Beteiligungsgellschaft mbH
Bayonne Industries, Inc.
Canyon Reef Carriers, Inc.
Colonial Pipeline Company
Coltexo Corporation
Dixie Pipeline Company
Explorer Pipeline Company

Felix Oil Company
Kaw Pipe Line Company
Laurel Pipe Line Company
LOCAP Inc.
LOOP Inc.
Olympic Pipe Line Company
Portland Pipe Line Corporation
Texas-New Mexico Pipe Line Company
THUMS Long Beach Company
West Shore Pipe Line Company
Wolverine Pipe Line Company
Wyco Pipe Line Company
Aircraft Fuel Supply B.V.
Airport Refueling Services S.p.A.
Aktiebolaget Svensk Petroleumlagring
United Kingdom Oil Pipelines Limited
Unterflur Betankungsanlage A.G. (UBAG)
West Australian Natural Gas Pty. Limited
Zaire Services des Entreprises Petrolieres (Zaire S.E.P.)
Aktiebolaget Djurgardsberg
Wichmann Beteiligungsgesellschaft mbH
Caluplast Farbenfabriken Wichmann
Zerssen Mineralolhandel GmbH & Co. GmbH

UNION OIL COMPANY OF CALIFORNIA

Subsidiaries and Affiliates

Ace Gas, Inc.
Brea Agricultural Service
Cymoly Corporation
Gravity Adjustment, Inc.
Kyung in Energy Company, Limited
Los Angeles Oil Company, Inc.
Miami Valley Corporation
Mid-County Chemical Co.
Midwest PMN, Inc.
Minera Unionoil Chile Limitada

Duachita Fertilizer Company, Inc.
P-M-S West, Inc.
Sanitation, Inc.
Sepulveda Oil and Gas Company
Southcap Pipe Line Company
Superior Deshler Co.
Union Oil Company of Canada, Ltd.
Unoco (Philippines), Inc.
Van Salt Water Disposal Company

Corporate Petitioners in *Virginia Electric and Power Company, et al.* v. *EPA*, D.C. Cir. Nos. 81-1569 and 81-1572

ALABAMA POWER COMPANY

Parent

The Southern Company

Subsidiaries and Affiliates

Alabama Property Company
Southern Electric Generating Co.

ALLEGHENY POWER SYSTEM, INC.

Subsidiaries and Affiliates

Allegheny Power Service Corp.
Monongahela Power Co.
The Potomac Edison Co.
Allegheny Pittsburgh Coal Co.
West Penn Power Co.
West Virginia Power & Transmission Co.
West Penn West Virginia Water Power Co.

AMERICAN ELECTRIC POWER COMPANY, INC.

Subsidiaries and Affiliates

American Electric Power Service Corp.
Appalachian Power Company

Cedar Coal Co.
Central Appalachian Coal Co.
Central Coal Co.
Central Operating Co.
Kanawha Valley Power Co.
Southern Appalachian Coal Co.
West Virginia Power Co.
Franklin Real Estate Co.
Indiana Franklin Realty, Inc.
Indiana & Michigan Electric Co.
Indiana & Michigan Power Co.
Castlegate Coal Co., Inc.
Kentucky Power Co.
Kingsport Power Co.
Michigan Electric Power Co.
Michigan Power Co.
Michigan Gas Exploration Co.
Ohio Power Co.
Southern Oil Coal Co.
Central Ohio Coal Co.
Ohio Electric Co.
Windsor Power House Coal Co.
Twin Branch Railroad Co.
Wheeling Electric Co.
Beech Bottom Power Co.
Cardinal Operation Co.
Ohio Valley Electric Corp.
Indiana-Kentucky Electric Co.

CAROLINA POWER & LIGHT COMPANY

Subsidiaries and Affiliates

Capitan Corporation
Leslie Coal Mining Company
Carolinas-Virginia Nuclear Power Assn., Inc.

CENTRAL AND SOUTH WEST SERVICES, INC.

Subsidiaries and Affiliates

Central Power and Light Company
Public Service Company of Oklahoma
Transok Pipe Line Co.
Ash Creek Mining Co.
Southwestern Electric Power Company
Southwest Arkansas Utilities Corp.
Arklahoma Corp.
West Texas Utility Company
CSR Services, Inc.

CENTRAL ILLINOIS PUBLIC SERVICE COMPANY

Subsidiaries and Affiliates

Electric Energy, Inc.

CINCINNATI GAS & ELECTRIC COMPANY

Subsidiaries and Affiliates

Union Light, Heat and Power Co.
West Harrison Gas & Electric Co.
Miami Power Corp.
Lawrenceburg Gas Co.
Lawrenceburg Gas Transmission Corp.
Tri-State Improvement Co.
YGK, Inc.

CLEVELAND ELECTRIC ILLUMINATING COMPANY

Subsidiaries and Affiliates

The Ceico Co.
CCO Company

COLUMBUS & SOUTHERN OHIO ELECTRIC CO.

Subsidiaries and Affiliates

Colomet, Inc.
Simco, Inc.

COMMONWEALTH EDISON COMPANY

Subsidiaries and Affiliates

Commonwealth Edison Co. of Indiana, Inc.
Illinois Maintenance Co.
72 West Adams Co.
Chicago & Illinois Midland Railway Co.
Medical Center Steam Co.
Nuclear Resources, Inc.
Cotter Corp.
Commonwealth Research Corp.

DETROIT EDISON COMPANY

Subsidiaries and Affiliates

Edison Illuminating Company
Midwest Energy Resources Company
Peninsular Electric Light Company
St. Clair Edison Company
Washtenaw Light & Power Company
Essex County Light & Power Co., Ltd.
St. Clair Energy Corp.

DUKE POWER COMPANY

Subsidiaries and Affiliates

Mill Power Supply Company
Crescent Land & Timber Corp.
Eastover Land Company
Eastover Mining Company
Wateree Power Co.

Catawba Mfg. & Elec. Power Co.
Western Cardina Power Co.
Caldwell Power Co.
Southern Power Co.
Greenville Gas & Electric Light & Power Co.

FLORIDA POWER & LIGHT COMPANY

Subsidiaries and Affiliates

Fuel Supply Service, Inc.
Land Resources Investment Co.

GULF STATES UTILITIES COMPANY

Subsidiaries and Affiliates

Varibus Corporation

HOUSTON LIGHTING & POWER COMPANY

Parent

Houston Industries, Inc.

ILLINOIS POWER COMPANY

Subsidiaries and Affiliates

Electric Energy, Inc.

IOWA PUBLIC SERVICE COMPANY

Subsidiaries and Affiliates

Cimmred, Inc.
Energy Development Co.
Energy Reserves, Inc.
Centennial Coal, Inc.

MIDDLE SOUTH UTILITIES, INC.

Subsidiaries and Affiliates

Arkansas Power & Light Co.
Arkansas-Missouri Power Co.
Louisiana Power & Light Co.
Mississippi Power & Light Co.
New Orleans Public Service, Inc.

MINNESOTA POWER & LIGHT COMPANY

Subsidiaries and Affiliates

Superior Water, Light & Power Co.
Topeka Land Company
Energy Land, Inc.

MONTAUP ELECTRIC COMPANY

Subsidiaries and Affiliates

Eastern Utilities Associates

NEW ENGLAND POWER COMPANY

Parent

New England Electric System

NIAGARA MOHAWK POWER CORPORATION

Subsidiaries and Affiliates

Beebee Island Corporation
Canadian Niagara Power Co., Ltd.
Moreau Manufacturing Corp.
NM Uranium, Inc.
St. Lawrence Power Co.
The Indian River Co.

NORTHEAST UTILITIES SERVICES COMPANY

Subsidiaries and Affiliates

Connecticut Light & Power Co.
Connecticut Gas Co.
Electric Power, Inc.
Connecticut Transmission Corp.
Shelton Canal Co.
Windsor Locks Canal Co.
City & Suburban Electric Gas Co.
Research Park, Inc.
Hartford Electric Light Company
Nutmeg Power Co.
Mohawk Gas Co.
Connecticut Steam Co.
Holyoke Water Power Company
Holyoke Power and Electric
Northeast Nuclear Energy Company
Quinnehtuk Company
Rocky River Realty Company
Western Massachusetts Electric Company

NORTHERN INDIANA PUBLIC SERVICE COMPANY

Subsidiaries and Affiliates

Shore Line Shops, Inc.
NIPSCO Exploration Co.
NIPSCO Fuel Co.

NORTHERN STATES POWER COMPANY (MINN.)

Subsidiaries and Affiliates

Cormorant Corporation
United Power and Land Co.
Northern States Power Co. (Wisc.)
Chippewa and Flambeau Improvement Co.

OHIO EDISON COMPANY

Subsidiaries and Affiliates

Pennsylvania Power Co.

OKLAHOMA GAS AND ELECTRIC COMPANY

Subsidiaries and Affiliates

Arklahoma Corporation

PACIFIC GAS & ELECTRIC COMPANY

Subsidiaries and Affiliates

Alaska California LNG Co.
Alberta & Southern Gas Co., Ltd.
Alberta Natural Gas Co., Ltd.
Gas Lines, Inc.
Natural Gas Corp. of California
Pacific Gas Transmission Co.
Pacific Transmission Supply Co.
Pacific Gas LNG Terminal Co.
Pacific Gas Marine Co.
Standard Pacific Gas Lines, Inc,

PHILADELPHIA ELECTRIC COMPANY

Subsidiaries and Affiliates

Conowingo Power Co.
Eastern Pennsylvania Development Corp.
Adwin Realty Corp.
Adwin Equipment Corp.
Eastern Pennsylvania Exploration Co.
Philadelphia Electric Power Co.
Susquehanna Power Co.
Susquehanna Electric Co.

ROCHESTER GAS & ELECTRIC COMPANY

Subsidiaries and Affiliates

Canadea Power Corp.

SOUTH CAROLINA ELECTRIC & GAS COMPANY

Subsidiaries and Affiliates

Energy Subsidiary, Inc.
South Carolina LNG Company, Inc.

THE SOUTHERN COMPANY

Subsidiaries and Affiliates

Alabama Power Co.
Alabama Property Co.
Georgia Power Co.
Southern Electric Generating Co.
Gulf Power Co.
Mississippi Power Co.
Southern Company Service, Inc.

TAMPA ELECTRIC COMPANY

Subsidiaries and Affiliates

Tampa Bay Industrial Corp.
Mid-South Towing Co.
Electro-Coal Transfer Corp.
Gulfcoast Transit Co.
Southern Marine Management Corp.
Cal-Glo Coal, Inc.

TEXAS UTILITIES COMPANY

Subsidiaries and Affiliates

Dallas Power & Light Co.
Texas Electric Service Co.

Old Ocean Fuel Co.
Texas Power & Light Co.
Texas Utilities Services, Inc.
Texas Utilities Fuel Co.
Texas Utilities Generating Co.
Chaco Energy Co.
Basic Resources, Inc.

UNION ELECTRIC COMPANY

Subsidiaries and Affiliates

Missouri Power & Light Co.
Missouri Utilities Co.

VIRGINIA ELECTRIC AND POWER COMPANY

Subsidiaries and Affiliates

Laurel Run Mining Co.
Virginia Nuclear, Inc.

WISCONSIN ELECTRIC POWER COMPANY

Subsidiaries and Affiliates

Wisconsin Natural Gas Co.
Wisconsin Michigan Power Co.
Badger Service Co.

WISCONSIN POWER & LIGHT COMPANY

Subsidiaries and Affiliates

South Beloit Water, Gas & Electric Co.
Wisconsin Power & Light Nuclear Fuel, Inc.
NUFUS Resources, Inc.
Wisconsin River Power Co.